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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
SHREVEPORT DIVISION

MICHAEL BIRKLETT

CIVIL ACTION NO. 03-0576-P

versus

JUDGE STAGG

BURL CAIN, WARDEN, ET AL.

MAGISTRATE JUDGE HORNSBY

**JUDGMENT**

For the reasons assigned in the Report and Recommendation of the Magistrate Judge previously filed herein, and having thoroughly reviewed the record, including the written objections filed, and concurring with the findings of the Magistrate Judge under the applicable law;

**IT IS ORDERED** that the petition for writ of habeas corpus is **DENIED** and that Petitioner's complaint is **DISMISSED WITH PREJUDICE**.

THUS DONE AND SIGNED at Shreveport, Louisiana, this 10<sup>th</sup> day of January,  
2006.

  
TOM STAGG  
UNITED STATES DISTRICT JUDGE